



USDS SDNY
DOCUMENT
ELECTRONICALLY FILED

DOC #

DATE FILED: 5/15/08

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

RECEIVED
MAY 15 2008

May 15, 2008

U.S. DISTRICT COURT
S.D.N.Y.

BY FAX

The Honorable Harold Baer Jr.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Charlene Marant
07 Cr. 160 (HB)

Dear Judge Baer:

I write to confirm the current schedule in this matter. The competency hearing is scheduled for Tuesday, May 20, 2008 from 2 p.m. to 5 p.m. The trial will begin on Tuesday, May 27, 2008 at 9 a.m.

The parties jointly called earlier today to inquire about the availability of June 2, 2008 as a date to start the trial. I understand from your deputy that this is not currently feasible for the Court, which has already made significant changes to its schedule in order to accommodate the parties' scheduling requests. I also understand that delaying the trial date would likely require that Your Honor transfer the case back to Judge Koeltl for a much later trial. I have communicated the Court's schedule to Mr. Anello, counsel for Charlene Marant.

The Government greatly prefers maintaining the current schedule over transferring the case back to Judge Koeltl, which would likely entail a substantial delay of the trial date. For the reasons set forth at the conferences in this matter, such a delay would greatly prejudice the Government's ability to present its case. Mr. Anello indicated to me that he still objects to

the May 27, 2008 trial date for the reasons set forth in his earlier correspondence and at the conferences.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:

William J. Harrington
William J. Harrington
/Carrie H. Cohen
Assistant United States Attorney
(212) 637-2331/2264

cc: Robert J. Anello, Esq.
(By fax)

More to the point
if we go ahead I think
before/after the competency
hearing we resolve some
or all the immunities matters

Because of just this
back & forth time consuming
relating unless in my mind
happening with I never
actually took the case from
your table offered - so
it's real easy to give it
back - just give me the word
I thought this way the pit
of what I told Dennis to tell
you - ~~that~~ I have tried might
to accommodate your back
competency hearing & the treat-
ment tells me to give it back
or not hear from you - I need
see you in Court - with no
more ETT ERS
MOB COMPLAINT

Harold Baer, Jr., U.S.D.J.
Date: 5/15/08
TOTAL P.03

Endorsement:

Because of just this back and forth time consuming relatively useless (in my view) bantering I never actually took the case from Judge Koeltl officially - so its real easy to give it back - just give me the word. I thought this was the gist of what I told Dennis to tell you - I have tried mightily to accommodate you both on the competency hearing and the trial - either tell me to give it back or not hearing from you I will see you in Court - write no MORE LETTERS. More to the point if we go ahead I think before/after the competency hearing we will resolve some or all the in limine motions.